



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/575,749	05/22/2000	William P. Alberth Jr.	CS10614	1184

7590 12/04/2003

Motorola Inc  
Intellectual Property Dept(BMM)  
600 North US Highway 45 AN475  
Libertyville, IL 60048

EXAMINER

SHIN, KYUNG H

ART UNIT	PAPER NUMBER
----------	--------------

2132

DATE MAILED: 12/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/575,749

Applicant(s)

ALBERTH JR. ET AL.

Examiner

Kyung H Shin

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 May 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 May 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. This action is responding to application filed on 5/22/2000.
2. Claims **1-17** are presented for examination. Claims **1, 8** and **14** are independent claims.

#### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 1-17** are rejected under 35 U.S.C. 102(b) as being anticipated by Storck et al. (U.S. Patent No. 5,434,395)
3. **Regarding Claim 1, 8, 14 and 17**, Storck discloses a method and apparatus of a smart card comprising (Fig. 3):
  - a) a first user data storage device including a memory device and storing: (col. 11, line 54)
    - i. a first set of user data; (col. 11, line 44)
    - ii. a first encryption key for encrypting at least part of said first set of user data; (col. 2, line 58 and col. 19, line 57)
  - b) a first interface circuit coupled to said memory device granting conditional access to data therein using an appropriate data exchange protocol (col. 11, line

- 18) and only when a second personal data storage device is operatively coupled to said first personal data storage device; (col. 11, lines 9-33 and col. 5, lines 1-7)
- c) a second interface circuit coupled to said memory device and providing communications access to a second personal data storage device. (col. 11, lines 34-51 and col. 5, lines 16-24)
4. **Regarding Claim 2 and 9**, Storck discloses the personal data storage apparatus of claim 1 further comprised of a processor (col. 1, line 35), operatively coupled to said memory device and to said first and second interface circuits. (col. 12, lines 7-18 and col. 5, lines 42-47)
5. **Regarding Claim 3 and 10**, Storck discloses the personal data storage apparatus of claim 1 wherein said second personal data storage device is operatively coupled to said first personal storage device using a mechanical coupling. (col. 18, lines 31-38 and col. 5, lines 51-63)
6. **Regarding Claim 4**, Storck discloses the personal data storage apparatus of claim 3 wherein said mechanical coupling is a connector. (col. 10, line 12)
7. **Regarding Claim 5 and 11**, Storck discloses the personal data storage apparatus of claim 1 wherein said second personal data storage device is operatively

coupled to said first personal storage device using a wireless connection. (col. 19, lines 14-22)

8. **Regarding Claim 6 and 12**, Storck discloses the personal data storage apparatus of claim 5 wherein said wireless connection is a radio link. (Fig. 15, col. 8, line 20)
9. **Regarding Claim 7, 13 and 16**, Storck discloses the personal data storage apparatus of claim 1, where an agent of the issuer of the personal data storage apparatus can recreate the user data from a single part of the personal data storage apparatus. (col. 7, lines 5-16)
10. **Regarding Claim 15**, Storck discloses the method of claim 14 wherein said step of granting access to said personal data in either said first data storage device or said second data storage device when said first and second personal data storage devices are operatively coupled together (col. 5, lines 1-7) is comprised of the step of granting access when said first and second personal data storage devices are coupled together through at least one of either a wireless data link (col. 8, line 20) or a mechanical connector. (col. 10, line 12)

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kyung H Shin whose telephone number is 703-305 - 0711. The examiner can normally be reached on 6:30 am - 4:30 pm.

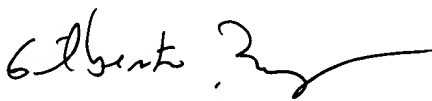
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 703-305-1830. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-2394.

*KHS.*

Kyung H Shin  
Patent Examiner  
Art Unit 2132

KHS  
November 28, 2003

  
GILBERTO BARRON  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100